

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PAUL MURPHY, REGIONAL DIRECTOR OF REGION 3
OF THE NATIONAL LABOR RELATIONS BOARD, FOR
AND ON BEHALF OF THE NATIONAL LABOR
RELATIONS BOARD,

Petitioner,

v.

CAYUGA MEDICAL CENTER ,

Respondent.

**DECLARATION OF
BRIAN FORREST**

Civil Action No.:
3:17-MC-00004
(TJM)(ATB)

STATE OF NEW YORK)
) ss.:
COUNTY OF TOMPKINS)

I, Brian Forrest, declare, upon personal knowledge and under penalty of perjury that the following is true and correct:

1. I am the Vice President of Human Resources at Cayuga Medical Center (“CMC”).

2. CMC has always maintained two separate types of bulletin boards throughout the medical center. Bulletin boards adjacent to the time clocks have always been exclusively reserved for official CMC business, including such items as statutory notices to employees, information about employee benefits, and memoranda from senior leadership on various topics (referred to as “official bulletin boards”).

3. Other bulletin boards located in break rooms and a public bulletin board near the cafeteria are open for employee use to post non-work related material, such as advertisements for dancing lessons, used cars for sale, apartments for rent, etc.

4. Ms. Barr did remove one union posting from an official bulletin board adjacent to the time clock in the ICU.

5. CMC does not allow non-work related materials to be posted on this particular bulletin board since it is one of the official bulletin boards reserved exclusively for CMC business.

6. CMC allows non-work related materials to be posted on the bulletin boards set aside for employee use, including in the ICU break room, where many union notices have been posted and been allowed to remain.

7. There are around 450 RNs employed at CMC.

8. At no time since the organizing drive began has a petition for an election to certify SEIU as the employees' exclusive bargaining representative been filed with the NLRB.

Dated: March 2, 2017


Brian Forrest

Sworn to before me this
2 th day of ~~February~~ ^{March}, 2017.


NOTARY PUBLIC

BETSEY CONNER
Notary Public, State of New York
Appointed in Cayuga Co
Official #01CO5072278
Commission expires 3/27/2019